

REMARKS

Claims 25-28, 31-32, 34, 36-38 and 41-51 are pending in the present application. Claims 25, 31, 36, 41 and 44 are independent.

The claims have been amended to clarify the invention and to correct minor informalities according to U.S. patent practice. These modifications do not add new matter and are fully supported by the original disclosure, for example, Figures 6 and 7 and the corresponding description in the specification as filed.

Personal Interview Conducted

Applicants appreciate the Examiner for the personal interview conducted on November 27, 2007 with Applicants' representative, and for the Interview Summary provided during the interview. Based on the interview discussion, Applicants are hereby amending the independent claims as discussed during the interview, which the Examiner has agreed to define over the applied reference, Kim et al., as indicated in the Interview Summary. Thus, the below rejections should be withdrawn and the application is now in condition for allowance.

35 U.S.C. § 102(e) and § 103 Rejection

Claims 25-28, 31, 32, 34, 36, 37, 41, 42, 44 and 45 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Kim et al. Claims 38, 43 and 46-51 have been rejected under 35 U.S.C. § 103 as being unpatentable over Kim et al. in view of Takahashi. These rejections, insofar as they pertain to the presently pending claims, are respectfully traversed.

Without acquiescing to any of the Examiner's allegations made in the Office Action to reject these claims, but to advance prosecution only, the independent claims have been amended as discussed during the interview. Particularly, the applied references do not teach or suggest, *inter alia*, "the defect management information generated during the recording operation includes position information of a defective unit and a corresponding replacement unit, and the defect management information generated during the reproducing operation includes position information of a defective unit and a corresponding replacement unit" as recited in the independent claims. For instance, Kim et al.'s PDL includes addresses of defective sectors, but does not include addresses of corresponding replacement units. Other distinctions were also discussed during the interview. The Examiner agreed during the interview that the claims as amended would overcome Kim et al. and the current rejections.

Accordingly, independent claims 25, 31, 36, 41 and 44 and their dependent claims (due to their dependency) are patentable over the applied art, and reconsideration and withdrawal the rejections based on these reasons are respectfully traversed.

CONCLUSION

For the foregoing reasons and in view of the above clarifying amendments, the Examiner is respectfully requested to reconsider and withdraw all of the objections and rejections of record, and an early issuance of a Notice of Allowance is respectfully requested.

Should there be any matters which need to be resolved in the present application, the Examiner is respectfully requested to contact Esther H. Chong (Registration No. 40,953) at the telephone number of the undersigned below.

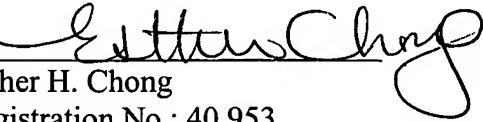
Application No. 10/670,381
Amendment dated November 28, 2007
Reply to Office Action of August 30, 2007

Docket No.: 0465-1055P

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: November 28, 2007

Respectfully submitted,

By 
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